

3/14/05 - (4)

Town of Acton  
**APPLICATION FOR SITE PLAN SPECIAL PERMIT**  
To The  
Board Of Selectmen

Refer to the "Rules and Regulations for Site Plan Special Permits" available from the Office of the Board or the Site Plan Coordinator for details on the information and fees required for this application. Contact the Site Plan Coordinator at 264-9632 with any questions concerning the Rules. Incomplete applications may be denied.

*Please type or print your application.*

**APPLICANT'S**

*Name & Address*

864 Main Street, LLC.  
198 Great Road  
Acton, MA 01720

*Telephone (978) 263-1500*

*Location and Street Address of Site*

864 Main Street  
Acton, MA

*Tax Map & Parcel Number*

Map C-5 Parcels 40

*Area of Site* 1.00 ac.

**OWNER'S**

*Name & Address*

RRM 864 Main Street, LLC  
864 Main Street  
Acton, MA 01720

*Telephone (978) 263-1500*

*Zoning District*

Small Manufacturing, Groundwater Prot.  
District Zone 3,

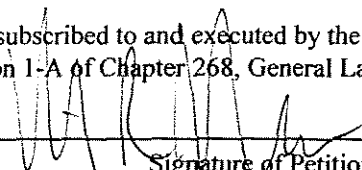
*If any site plans have been filed previously  
for this site give file numbers*

The undersigned hereby apply to the Board of Selectmen for a public hearing and a site plan special permit under Section 10.4 of the Zoning Bylaw approving the attached site plan.

The undersigned hereby certify that the information on this application and plans submitted herewith is correct, and that all applicable provisions of Statutes, Regulations, and Bylaws will be complied with.

The above is subscribed to and executed by the undersigned under the penalties of perjury in accordance with Section 1-A of Chapter 268, General Laws of the Commonwealth of Massachusetts.

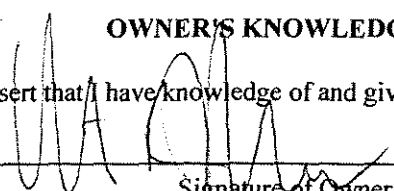
12/17/04  
Date

  
Signature of Petitioner

**OWNER'S KNOWLEDGE AND CONSENT**

I hereby assert that I have knowledge of and give my consent to the application presented above.

12/17/04  
Date

  
Signature of Owner

TOWN OF ACTON  
NOTICE OF  
CONTINUED  
HEARING

The Acton Board of Selectmen opened the public hearing on February 7, 2005 at 7:30 PM and continued at the request of the applicant until March 14, 2005 at 7:30 PM. in the Selectmen's Hearing Room, Town Hall on the application of 864 Main Street LLC, under Section 10.4 of the Zoning Bylaw for approval of a Site Plan Special Permit to raze the existing building and construct a building trade shop with aproximatly 8,000 square feet located at 864 Main Street, Acton.

The application and accompanying plans may be inspected at the Town Hall during normal business hours.

F. DORE' HUNTER  
WALTER FOSTER  
PETER ASHTON  
WILLIAM SHUPERT III  
ROBERT JOHNSON

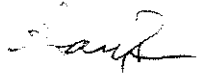
BOARD OF SELECTMEN

**TOWN OF ACTON**

**Building Department**

**INTERDEPARTMENTAL COMMUNICATION**

---

**To:** Board of Selectmen **Date:** March 8, 2005  
**From:** Garry A. Rhodes, Building Commissioner   
**Subject:** Site Plan Special Permit #12/23/04-400  
864 Main Street, RRM 864 Main Street, LLC (Johnson)

---

The applicant is proposing to raze the existing building and construct a building trade shop of approximately 9,000 square feet. The site is zoned Small Manufacturing and is located in zone 3 of the Groundwater Protection District. The Use is allowed in both districts.

The applicant has provided a lighting plan as required by Acton Zoning Bylaw § 10.6. The applicant should identify which if any lighting is needed for security. If security lighting is identified a determination can be made of when other exterior lighting shall be shut off.

The plan does not provide for a sidewalk along site frontage on Eastern Road. The applicant has agreed at the request of staff to install one along Main Street to connect to the existing sidewalk in front of Deck House.

I have attached staff comments and the response to those comments for your review. The plans have been revised to reflect staff comments except as noted in the applicants response.

# STAMSKI AND MCNARY, INC.

80 Harris Street  
Acton, Massachusetts 01720  
(978) 263-8585  
FAX (978) 263-9883

WILLIAM F. MCNARY, P.L.S.  
JOSEPH MARCH, P.E., P.L.S.

March 3, 2005

Board of Selectmen  
c/o Garry Rhodes  
Town of Acton  
472 Main Street  
Acton, MA 01720

RE: 864 Main Street Site Plan Revisions; Site Plan Special Permit, #12/23/04 - 400

Dear Board Members,

Enclosed are 11 copies of the revised site plan for 864 Main Street. Revisions were made in response to town staff reviews. Following are the responses to the Interdepartmental Communication comments concerning *Site Plan Special Permit, #12/23/04 - 400*. Each comment is addressed by number.

## **Response to Planning Board Comments, dated January 27, 2005**

1. The access driveway leading to Main Street has been marked and posted as a one way.
2. The catch basin on the south corner of the lot (in the Eastern Road layout where the existing driveway is located) will remain in place to collect overflow from IB-3. Furthermore, this catch basin will prevent puddling in that location.
3. The walkway proposed to be located around the building and leading to Main Street and Eastern Road is required to comply with ADA regulations; therefore, since pavers do not comply they cannot be used. This was confirmed with the building commissioner.
4. The walkway connecting Main Street to the building has been removed from the Landscaping Plan.
5. The site distance has been reviewed for the exit from the site onto Main Street and the plantings will not interfere.
6. The Landscaping Plan has been revised to show additional landscaping along the north edge of the site adjacent to the Assisted Living community to provide screening.

7. The tree located within the stockade fenced area surrounding the dumpster has been relocated.
8. The applicant prefers to have a windowless building for security reasons. The building will contain expensive equipment vital to the tenants profession and windows would impose a security threat.
9. Outdoor lighting is proposed for the site and will comply with Zoning Bylaw section 10.6. The lighting proposal is attached.
10. The women's restroom shall be constructed according to the Massachusetts Uniform State Plumbing code.
11. The applicant has been made aware of the situation..

**Response to Board of Health Comments, dated January 3, 2005**

1. Prior to occupancy, it will be required that the tenants disclose whether hazardous materials in excess of 25 pounds or gallons will be stored on site.
2. The reserve area has been adjusted so if utilized it will not require the use of retaining walls.
3. A permit (Permit Number: 05-36NR) has been granted to construct the sewage disposal system. A permit (Number: 05-03SP) has been granted to perform work within the aquifer.
4. The adjustment of the reserve area results in agreement with the setbacks shown for the primary area. The tree located in the middle of the dumpster pad has been relocated.
5. The proposed septic tank has been relocated to a location more suitable to the proposed plumbing in the building. It is no longer in a location that would require an excavator to dig in contaminated soils in order to access the reserve area.

**Response to the Engineering Department Comments, dated January 28, 2005**

1. No response necessary
2. A note has been added to the plan that reads "any road bounds located on eastern road which are disturbed during construction shall be restored to their original location."

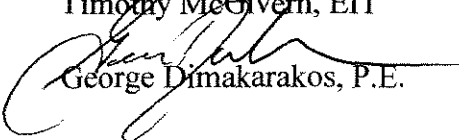
3. The applicant would agree to a condition in the permit that would require installation of a sidewalk on Main Street in front of 2 Eastern Road subject to applicable approvals.
4. A note has been added to the plan that reads, "The existing handicap curb cut and sidewalk along Main Street shall be preserved."
5. There is approximately a one (1) foot sump at the outlet for the trench drain. It has been shown graphically on the plan.
6. Due to site constraints, a retention basin was not a viable option for proper treatment of runoff. To attain proper treatment, all the runoff generated from impervious surfaces up to a 100-year storm will be treated using oil/sediment separators. With proper maintenance oil/sediment separators will remove all floatables, oil, grease, and sediments from the runoff using three separate treatment chambers. Oil/sediment separators also ensure containment of pollutants until removed from the structures. Retention basins, however, have a greater possibility of leaking into the groundwater. Since the volume being treated greatly exceeds the required 1-inch, has less of a chance of leaking into the groundwater, and the entire volume will be treated further by infiltration we feel that the proposed runoff treatment system meets the purpose of ZBL Section 4.3.6.3.
7. Emergency flap valves have been added to the detail sheet on the manholes leading to the infiltration beds. These will be closed in the event of an emergency spill or other unexpected contamination event. A note and instructions have been added to the Stormwater Operation and Maintenance Plan so that the parties responsible are aware of the emergency flap valves. The note reads, "In the event of an emergency spill or possible contamination of the infiltration beds, the flap valves in DMH-1, DMH-3, and DMH-4 must be closed"
8. A label has been added to the plan to indicate the preservation of an existing swale that will prevent runoff from flowing directly onto Main Street from FE-1.
9. The location of proposed business sign has been shown on the plans.

Thank you for your consideration in this matter. If you have any further questions please feel free to call our office.

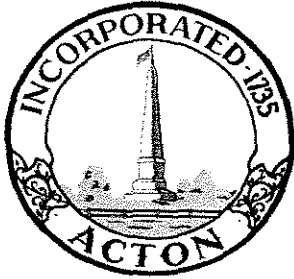
Very Truly Yours,  
Stamski and McNary, Inc.



Timothy McGivern, EIT



George Dimakarakos, P.E.



**TOWN OF ACTON**  
472 Main Street  
Acton, Massachusetts 01720  
Telephone (978) 264-9636  
Fax (978) 264-9630  
planning@acton-ma.gov

**Planning Department**

**INTERDEPARTMENTAL COMMUNICATION**

**To:** Don Johnson, Town Manager **Date:** January 27, 2005  
**From:** Kristin K. Alexander, AICP, Assistant Town Planner *YLA*  
**Subject:** 864 Main Street Site Plan Special Permit, # 12/23/04 - 400

I have reviewed the 864 Main Street Site Plan Special Permit application and have the following comments:

1. The access driveway leading to/from Main Street should be posted as one way.
2. The catch basin on the south corner of the lot (in the Eastern Road layout where the existing driveway is located) should be removed if it is no longer necessary.
3. The walkway proposed to be located around the building and leading to Main Street and Eastern Road makes sense and should be constructed. However, to comply with the front yard impervious cover restriction in Zoning Bylaw section 10.4.3.6.1), the walkway should be created using pervious pavers.
4. The Layout Plan, Grading Plan, and Utilities Plan should show the walkway connecting the building to Main Street, as shown on the Landscape Plan.
5. Landscaping is proposed in the Main Street right-of-way. Will this impede site distance?
6. Additional landscaping where none is proposed should be planted for screening along the north edge of the site adjacent to the Assisted Living community.
7. The Landscape Plan shows a tree to be planted within the stockade fenced area surrounding the dumpster. It should be relocated.
8. There are no windows in the building. This could be a security/safety problem. There is no way for people inside the building to know what is occurring outside the building without having the doors open. It is also an aesthetic issue. The sides of the building will present a blank face towards the two roadways; especially when the deciduous trees lose their leaves each fall. For safety reasons, at least one window should be placed in each of the units (either in the outside wall or a door). To break up the facades, the walls facing Main Street and Eastern Road should also include windows.
9. Is outdoor lighting proposed for the site? If so, it must comply with Zoning Bylaw section 10.6.

10. The design of the women's restroom allows only one woman to use the restroom at a time. Walls should be installed around the toilet (creating a stall) so the sink is still available to others while the toilet is in use.
11. 864 Main Street is not on the Town Cultural Resource List (demolition delay bylaw), however, a "Massachusetts Historical Commission Form B – Building" was completed for the site by Elizabeth Conant for the Acton Historical Commission in 1990 (see attached form). Since it appears the Historical Commission has an interest in the historical significance of the property, they should be consulted regarding the proposal to raze the existing building.

cc: Garry Rhodes, Building Commissioner  
Planning Board



# 1.8 - BUILDING

MASSACHUSETTS HISTORICAL COMMISSION  
 101 STYLTON STREET  
 ACTON, MA 02116

AREA

FORM NO.

2



ACTON

64 Main Street *(End of Carls Rd)*  
866

ic Name none

Present residence

Original residence

PTION

c. 1930

F. Harris; G. Hagen

center gable, side wings

ect unknown

atch Map: Draw map showing property's location  
 relation to nearest cross streets and/or  
 graphical features. Indicate all buildings  
 been inventoried property and nearest  
 ersection(s).  
icate north

Exterior Wall Fabric clapboard

Outbuildings none

Major Alterations (with dates) none

Condition good

Moved no Date

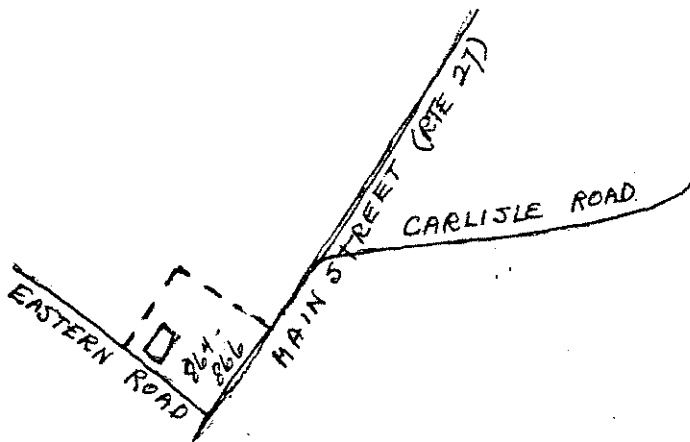
Acreage .726

Setting Back from the highway, this  
house is now reached by a sideroad  
built into what is intended to be  
a light industrial park.

Recorded by Elizabeth S. Conant

Organization for the Acton Historical  
Commission

Date Feb., 1990



4 REFERENCE ZONE 19

SS QUADRANGLE WESTFORD

ALE 1" = 400"

LOCAL REGISTER CRITERIA STATEMENT (if applicable)

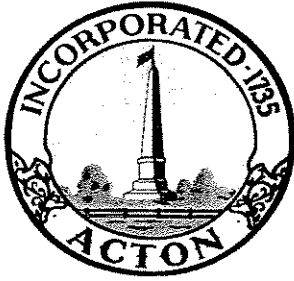
**ARCHITECTURAL SIGNIFICANCE** Describe important architectural features and evaluate in terms of other buildings within the community.

When this building was built, for or by Allan Frost in the 1930's, it was the only duplex in North Acton. It is now surrounded by commercial interests, and only shrubbery saves its view.

**HISTORICAL SIGNIFICANCE** Explain the role owners played in local or state history and how the building relates to the development of the community.

Allan Frost, a north Acton native, built this duplex for him and for his sister, long term Acton town nurse.

**BIBLIOGRAPHY and/or REFERENCES**




**TOWN OF ACTON**  
472 Main Street  
Acton, Massachusetts, 01720  
Telephone (978) 264-9608  
Fax (978) 264-9630

**Nancy McShea**  
**Recreation Director**

---

January 14, 2005

To: Don Johnson, Town Manager  
From: Nancy McShea, Recreation Director   
Re: Site Plan Special Permit 12/23/04-400-864 Main Street LLC- 864 Main Street  
cc: Garry Rhodes

---


The Recreation Department does not have any comments regarding potential recreation opportunities for this site.

Thank you.

# ACTON MUNICIPAL PROPERTIES DEPARTMENT

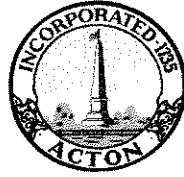
## INTERDEPARTMENTAL COMMUNICATION

---

**To:** Garry Rhodes, Building Commissioner **Date:** 1/11/05  
**From:** Dean A. Charter, Municipal Properties Director   
**Subject:** Site Plan 12/23/04-400 - 864 Main Street LLC

---

I have reviewed the plans submitted and visited the site of the above proposed development. I find the landscape plan to be adequate and appropriate to the site. During my review I noted that there were two minor errors and one omission on the Plant List. I have contacted the Landscape Architect, and she will be submitting a revised list to correct these problems.




## INTERDEPARTMENTAL COMMUNICATION

Acton Board of Health - Telephone 978-264-9634 - Fax 978-264-9630

January 3, 2005

TO: Garry Rhodes, Building Commissioner

FROM: Doug Halley, Health Director 

SUBJECT: Site Plan Special Permit 12/23/04-400 – 864 Main Street

The Health Department has reviewed the plans and materials submitted by Stamski & McNary regarding a Site Plan Special Permit for 864 Main Street. Based on that review the Health Department would have the following comments:

1. The proposed use of a building trade shop will likely require hazardous material control permits from the Board of Health. Prior to occupancy the tenant must disclose whether hazardous materials in excess of 25 pounds or gallons will be stored on site.
2. The plans for the reserve area of the proposed septic system does not show finished grades if that area is eventually utilized. The Board of Health is concerned that implementation of the reserve area may require retaining walls. The applicant must show that the reserve area can be built without retaining walls or must construct the most costly septic system first.
3. The applicant is required to obtain an Aquifer Special Permit from the Board of Health, as well as, a Sewage Disposal System Permit.
4. The Board of Health is concerned that proposed plantings near the reserve area will inhibit the future use for that area. Plantings in that area should observe the same setbacks as are shown for the primary leaching area. In addition, the landscape plan proposes a planting in the middle of the dumpster pad. That planting should either be relocated or deleted.
5. The proposed septic tank is poorly located in regards to the reserve area and the proposed plumbing in the building. The tank should be located in a manner that would not require an excavator to dig in contaminated soils in order to access the reserve area.

**TOWN OF ACTON**  
472 Main Street  
Acton, Massachusetts, 01720  
Telephone (978) 264-9628  
Fax (978) 264-9630

**Engineering Department**

---

**INTERDEPARTMENTAL COMMUNICATION**

**To: Don P. Johnson, Town Manager**

**Date:** January 28, 2005

**From: Engineering Department**

**Subject: Site Plan Special Permit #12/23/04-400 – 864 Main Street LLC – 864 Main Street**

---

We have the following comments regarding the above mentioned site plan dated December 10, 2004.

1. When the new water service is installed in Main Street the contractor will be responsible to pave the final trench with a special infrared patch since the road pavement is less than three years old. The contractor should consider using flowable fill in the trench to reduce the risk of settlement.
2. We want to be sure that the applicant protects the two existing concrete bounds located at the intersection rounding of Eastern Road at Main Street.
3. The applicant could propose a sidewalk on Main Street in front of 2 Eastern Road to fill-in the gap between Eastern Road and the existing sidewalk in front of 852 Main Street. The length of this sidewalk would be approximately equivalent to their existing frontage on Eastern Road.
4. The contractor will need to make sure that the existing handicap sidewalk ramp next to the Main Street access is not damaged or removed during construction. The developer for the Robbins Mill Estates subdivision is required to construct a sidewalk on Carlisle Road that connects to the existing Main Street sidewalk at this location with a crosswalk.
5. We recommend that the engineer add a sump at the outlet for the trench drain to minimize the risk of clogging the 6-inch diameter outlet pipe.
6. This project is located within the Groundwater Protection District Zone 3 which requires the first inch of runoff to be directed into a retention basin that retains the runoff for an average of three days so that the runoff can be exposed to sunlight and vegetation prior to recharge to groundwater (ZBL Section 4.3.6.3). The engineer needs to address the issue of treatment and renovation of the pavement runoff and whether or not the proposed drainage system will meet or exceed the requirements of the Zoning Bylaw.

7. The engineer will need to equip the drainage system with emergency slide gates or similar provisions to be closed in the event of an emergency spill or other unexpected containment events. Notes and instructions will need to be added to the Stormwater Operation and Maintenance Plan so that the parties responsible are aware of the emergency slide gates.
8. The engineer should add a label for a swale on the plans from the flared end outlet adjacent to the Main Street access to the existing catch basin by the intersection of Eastern Road and Main Street. We want to be sure that this area is graded in such a manner to allow runoff to flow overland towards the existing catch basin instead of directly onto Main Street.
9. If the applicant intends to have a sign identifying the development, the engineer should show the location of this sign on the plans.

Cc: Garry Rhodes, Building Commissioner

# Memorandum

**TO:** Garry Rhodes  
**FROM:** Transportation Advisory Committee  
**DATE:** January 31, 2005  
**RE:** Review of Site Plan Special Permit Application, 864 Main Street, Acton, MA  
December 17, 2004  
**C:** Acton Board of Selectmen

---

At your request the Transportation Advisory Committee has reviewed the above referenced Site Plan Special Permit Application dated December 17, 2004. The project proposes to raze the existing building and construct an 8,000 square foot building trade shop. The project does not trigger the requirement for a traffic impact study under the Site Plan and Subdivision Rules and Regulations.

A sidewalk offset from the street is proposed along the site frontage, and a sidewalk connection from the internal site area is proposed as well.

Based on our review of this application we agree with the location of the sidewalks, it is recommended that sidewalks within the town layout be constructed of reinforced concrete.